

DT08 Rec'd PCT/PTO 11 MAR 2005

U. S. PATENT AND TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

ATTORNEY'S DOCKET NUMBER

21204P

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/527561**

INTERNATIONAL APPLICATION NO.  
PCT/US03/30161

INTERNATIONAL FILING DATE  
23 September 2003

PRIORITY DATE CLAIMED  
27 September 2002

TITLE OF INVENTION  
SUBSTITUTED PYRIMIDINES

APPLICANT(S) FOR DO/EO/US

IHOR E. KOPKA, BING LI, and WILLIAM K. HAGMANN

**Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:**

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (PCT Article 31).
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
  - a. ☐ is attached hereto
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

**Items 11 to 20 below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

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|   |  |   |  |                                    |  |
|---|--|---|--|------------------------------------|--|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><div style="font-size: 24pt; font-weight: bold; text-align: center;">10/527561</div> |  | INTERNATIONAL APPLICATION NO.<br>PCT/US03/30161 |  | ATTORNEY'S DOCKET NUMBER<br>21204P |  |
|---|--|---|--|------------------------------------|--|

|   |                                     |  |            |                        |              |
|---|-------------------------------------|--|------------|------------------------|--------------|
| The following fees are submitted:   |                                     |  |            | CALCULATIONS           | PTO USE ONLY |
| 21.   | <input checked="" type="checkbox"/> | Basic national fee.....  | \$300      | \$300.00               |              |
| 22.   | <input checked="" type="checkbox"/> | Examination fee<br>If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....   | \$100      |                        |              |
|   |                                     | All other situations.....  | \$200      | \$200.00               |              |
| 23.   | <input checked="" type="checkbox"/> | Search fee<br>Search fee [37 CFR 1.445(a)(2)] has been paid on the international application to the USPTO as an International Searching Authority..... | \$100      |                        |              |
|   |                                     | International Search Report prepared and provided to the Office.....   | \$400      |                        |              |
|   |                                     | All other situations.....  | \$500      | \$100.00               |              |
| <b>TOTAL OF 21, 22 and 23=</b>  |                                     |  |            | <b>\$600.00</b>        |              |
| <input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |                                     |  |            |                        |              |
| Total Sheets  | Extra Sheets                        | Number of each additional 50 or fraction thereof (round up to a whole number)  | RATE       |                        |              |
| 181 - 100 =   | 81 /50                              | 1.62 = 2   | X \$250.00 | \$500.00               |              |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].  |                                     |  |            |                        |              |
| CLAIMS  | NUMBER FILED                        | NUMBER EXTRA   | RATE       |                        |              |
| Total Claims  | 17 - 20 =                           | 0  | X \$50.00  | \$0.00                 |              |
| Independent Claims  | 1 - 3 =                             | 0  | X \$200.00 | \$0.00                 |              |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |                                     |  | + \$360.00 |                        |              |
| <b>TOTAL OF ABOVE CALCULATIONS (SUBTOTAL)</b>   |                                     |  |            | <b>= \$1,100.00</b>    |              |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).   |                                     |  |            | +                      |              |
| <b>TOTAL NATIONAL FEE</b>   |                                     |  |            | <b>= \$1,100.00</b>    |              |
| Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.   |                                     |  |            | +                      |              |
| <b>TOTAL FEES ENCLOSED</b>  |                                     |  |            | <b>= \$1,100.00</b>    |              |
|   |                                     |  |            | Amount to be refunded: |              |
|   |                                     |  |            | Amount to be charged:  |              |

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 13-2755 in the amount of \$1,100.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 000210

MERCK & CO., INC.  
Patent Department, RY60-30  
P.O. Box 2000  
126 East Lincoln Avenue  
Rahway, New Jersey 07065-0970

DATE: March 11, 2005

PHONE #: (732) 594-4283

SIGNATURE  
 CATHERINE D. FITCH  
 NAME  
36,502  
 REGISTRATION NUMBER

10/527561

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DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING  
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Serial No. PCT/US03/30161  
Case Docket No.: 21204P  
International Filing Date: 23 September 2003  
Priority Date: 27 September 2002  
Title: SUBSTITUTED PYRIMIDINES

Inventors: IHOR E. KOPKA, BING LI, and  
WILLIAM K. HAGMANN

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT March 11, 2005

EXPRESS MAIL NO. EV421342284US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS  
EXPRESS MAIL "POST OFFICE TO ADDRESSEE" BEFORE  
5 P.M. ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO  
COMMISSIONER OF PATENTS AND TRADEMARKS, BOX PCT,  
WASHINGTON, D.C. 20231.

MAILED BY *Kathy Stutts* DATE March 11, 2005